

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC d/b/a BRAZOS
LICENSING & DEVELOPMENT,

Plaintiff,

V.

GOOGLE LLC

Defendant.

Case No. 6:20-cv-00572-ADA

Case No. 6:20-cv-00580-ADA

Case No. 6:20-cv-00584-ADA

Case No. 6:20-cv-00585-ADA

JURY TRIAL DEMANDED

[PROPOSED] AMENDED SCHEDULING ORDER

The Court ORDERS that the following modified schedule will govern deadlines up to and including the trial of these matters and hereby vacates all prior scheduling orders and deadlines in this matter:

Event	Brazos Proposed Date	Google Proposed Date
<u>Final Infringement Contentions</u>	<u>Wed. Aug. 3, 2022</u>	<u>Wednesday, August 3, 2022</u>
<u>Final Invalidity Contentions and Core Technical Production</u>	<u>Wed. Sept. 28, 2022</u>	<u>Wednesday, September 28, 2022</u>
<u>Parties exchange claim terms for construction.</u>	<u>Wed. Oct. 12, 2022</u>	<u>Wednesday, October 12, 2022</u>

Event	Brazos Proposed Date	Google Proposed Date
<u>Parties exchange proposed claim constructions.</u>	<u>Wed. Oct. 26, 2022</u>	<u>Wednesday, October 26, 2022</u>
<u>Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.</u>	<u>Wed. Nov. 2, 2022</u>	<u>Wednesday, November 2, 2022</u>
<u>Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.</u>	<u>Wed. Nov. 9, 2022</u>	<u>Wednesday, November 9, 2022</u>
<u>Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.</u>	<u>Wed. Nov. 16, 2022</u>	<u>Wednesday, November 16, 2022</u>
Plaintiff files Responsive claim construction brief.	Wed. Nov. 30, 2022	Wednesday, December 7, 2022
Defendant files Reply claim construction brief. Parties to jointly email the law clerks (see OGP at 1) to confirm their Markman date.	Wed. Dec. 7, 2022	Wednesday, December 21, 2022
Plaintiff files a Sur-Reply claim construction brief.	Wed. Dec. 14, 2022	Wednesday, January 4, 2023
Parties submit Joint Claim Construction Statement and email the law clerks an editable copy. See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).	Wed. Dec. 21, 2022	Monday, January 9, 2023

Event	Brazos Proposed Date	Google Proposed Date
Parties submit optional technical tutorials to the Court and technical advisor (if appointed).	N/A	Wednesday, January 11, 2023
<i>Markman</i> Hearing	Wed. Jan. 11, 2023	Wednesday, January 18, 2023
First of two narrowing conferences	N/A	Wednesday, February 1, 2023
Close of Fact Discovery.	Wed. Feb. 8, 2023	Wednesday, March 1, 2023
Opening Expert Reports.	Wed. Feb. 15, 2023	Wednesday, March 8, 2023
Rebuttal Expert Reports.	Wed. Mar. 15, 2023	Wednesday, April 5, 2023
Close of Expert Discovery.	Mon. Apr. 3, 2023	Wednesday, April 26, 2023
Deadline for the second of two meet and confer to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.	Fri. Apr. 7, 2023	Wednesday, May 3, 2023
Dispositive motion deadline and Daubert motion deadline. See General Issues Note #8 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).	Mon. Apr. 10, 2023	Wednesday, May 10, 2023
Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists, discovery and deposition designations).	Mon. Apr. 17, 2023	Wednesday, May 24, 2023

Event	Brazos Proposed Date	Google Proposed Date
Serve objections to pretrial disclosures/rebuttal disclosures.	Mon. May 1, 2023	Wednesday, June 7, 2023
Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and dates.	Mon. May 8, 2023	Wednesday, June 14, 2023
Serve objections to rebuttal disclosures and file motions in limine.	Mon. May 8, 2023	Wednesday, June 14, 2023
File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions in limine	Mon. May 15, 2023	Wednesday, June 21, 2023
File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com Deadline to meet and confer regarding remaining objections and disputes on motions in limine.	Mon. May 22, 2023	Wednesday, June 28, 2023
File joint notice identifying remaining objections to pretrial disclosures and disputes on motions in limine.	Wed. May 31, 2023	Friday, July 7, 2023
[Proposed] Final Pretrial Conference (subject to the Court's convenience).	Mon. June 5, 2023	Wednesday, July 12, 2023
[Proposed] Jury Selection/Trial (subject to the Court's convenience).	Mon. June 26, 2023	Monday, August 7, 2023

SIGNED this ____ day of _____ 2022.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE